

# Holland & Knight

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March 24, 2022

*Via ECF*

Honorable Taryn A. Merkl  
United States Magistrate Judge for the Eastern  
District of New York  
225 Cadman Plaza E Rm 317N  
Brooklyn, NY 11201

Re: *Wilmington Trust, N.A. v. Segal* Civil Action No. 1:21-cv-01540  
Letter regarding Filing of Amended Proposed Judgment

Dear Judge Merkl:

On March 1, 2022, Wilmington Trust, N.A. (“Securities Intermediary”) filed its Notice of Motion for Default Judgment (the “Motion”) [ECF No. 13], attaching a Proposed Judgment [ECF No. 13-1]. In support of the Motion, Securities Intermediary filed the Declaration of Katherine A. Skeelee [ECF No. 14] and the Memorandum of Law in Support of Motion for Default Judgment [ECF No. 15] (“Memorandum”). On March 21, 2022, the Court issued an order referring the Motion for Default Judgment to Your Honor.

As explained in the Memorandum, Securities Intermediary is the beneficiary of two life insurance policies -- together, worth \$19 million -- insuring the life of Lilly Segal. Lilly Segal passed away in 2018, and accordingly Securities Intermediary is entitled to receive \$19 million in death benefits under the two policies. *See* Mem. at 4; ECF No. 13-1; ECF No. 13-2. As discussed in detail in the Memorandum, Defendant Herman Segal (Lilly Segal’s son) took intentional actions to obfuscate the fact of his mother’s death, including facilitating a name change for his mother and providing a false birthdate and social security number for use on her death certificate. Mem. 6-9. For example, the death certificate contains a false social security number for Lilly Segal, which replaces two of the digits in Lilly Segal’s actual social security number (as evidenced on her social security card [ECF No. 15

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(redacted), Exhibit A (unredacted))—the social security number used by Herman Segal for his mother’s death certificate belongs to a living person that resides in Florida. *See* Mem. 7-8; ECF No. 13-8, ECF No.13-6, ECF No 13-14. The death certificate also contains an incorrect birthdate, rather than her actual birthdate of [REDACTED], 1926, as evidenced and listed on both her Naturalization Certificate [ECF No. 14-11] (from 1954) and her driver’s license [attached hereto as Exhibit B] (issued in 2003), both of which are signed by Lilly Segal.

In the Proposed Judgment, Securities Intermediary asks for a declaration that Lilly Segal passed away on November 7, 2018 and was then buried in Beth David Cemetery. However, the Proposed Judgment should also declare the correct birthdate and social security number of Lilly Segal in order to facilitate the correction of the death certificate.

Securities Intermediary attaches to this letter the Amended Proposed Judgment [Exhibit C], as well as a redline comparison showing the changes in the Amended Proposed Judgment. [Exhibit D].

Because the attachments hereto contain Lilly Segal’s full social security number, which is necessary to enable the Court to issue the Amended Proposed Judgment, this letter and the accompanying exhibits are being filed under seal and Securities Intermediary is simultaneously submitting a Letter Motion to Seal the same to Your Honor.

We thank you for your time and consideration.

Sincerely yours,

HOLLAND & KNIGHT LLP

/s Katherine A. Skeele

Katherine A. Skeele

31 E. 52nd Street

New York, New York 10019

Copy to: All attorneys of record via NYSCEF  
Non-Appearing Defendant Herman Segal, by mail